



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/666,903

Examiner: Janet L. Coppins

Filed: September 17, 2003

Art Unit: 1625

Inventor(s): O'Connor, et al.

Title: 2,6-Substituted Chroman Derivatives Useful as Beta-3 Adrenoreceptor Agonists

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: July 8, 2004

Susan M. Pellegrino
Susan M. Pellegrino

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed June 25, 2004. In response to the restriction requirement, Applicants elect the claims of restriction Group II, claims 1-30, directed to compounds, pharmaceutical compositions, methods of use, and processes of preparation according to Formula I, wherein Ar is phenyl, for further prosecution in this application. In addition, Applicants elect Example 17 (Table 1, page 12 of the specification) as the species for further prosecution in this application.

If there are any fees due in connection with the filing of the present response, please charge the fees to undersigned's Deposit Account No. 13-3372. If a fee is required for an extension of time not accounted for, such an extension is requested and the fee should also be charged to undersigned's deposit account.

Respectfully submitted,

Susan M. Pellegrino
Susan M. Pellegrino
Attorney for Applicants
Reg. No. 48,972

Date: July 8, 2004

Bayer Pharmaceuticals Corporation
400 Morgan Lane
West Haven, CT 06516
Telephone: (203) 812-6450